

headed to the same conclusion here, but they nonetheless want to occupy all of our time and all of our attention on something that they know, ultimately, will likely be futile, will be unsuccessful, and in the meantime leave the American people on the sideline and not care or do anything that would help make their lives just a little bit easier and our country just a little bit stronger.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

Mr. LEE. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Luck nomination?

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 31, as follows:

[Rollcall Vote No. 358 Ex.]

YEAS—64

Alexander	Fischer	Perdue
Baldwin	Gardner	Portman
Barrasso	Graham	Reed
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Rubio
Capito	Isakson	Sasse
Carper	Johnson	Scott (FL)
Cassidy	Jones	Scott (SC)
Collins	Kennedy	Shelby
Coons	Lankford	Sinema
Cornyn	Leahy	Sullivan
Cotton	Lee	Thune
Cramer	Manchin	Tillis
Crapo	McConnell	Toomey
Cruz	McSally	Whitehouse
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Murphy	
Feinstein	Paul	

NAYS—31

Bennet	Cortez Masto	Hirono
Blumenthal	Duckworth	Kaine
Brown	Durbin	King
Cantwell	Gillibrand	Markey
Cardin	Hassan	Menendez
Casey	Heinrich	Merkley

Murray	Shaheen	Van Hollen
Peters	Smith	Warner
Rosen	Stabenow	Wyden
Schatz	Tester	
Schumer	Udall	

NOT VOTING—5

Booker	Klobuchar	Warren
Harris	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Rick Scott, Steve Daines, Mike Crapo, Pat Roberts, Marco Rubio, Lindsey Graham, John Hoeven, Roy Blunt, Mike Rounds, John Thune, John Cornyn, Deb Fischer, John Barrasso, James E. Risch, John Boozman, Tim Scott, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mrs. BLACKBURN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 80, nays 15, as follows:

[Rollcall Vote No. 359 Ex.]

YEAS—80

Alexander	Cassidy	Feinstein
Baldwin	Collins	Fischer
Barrasso	Coons	Gardner
Blackburn	Cornyn	Graham
Blumenthal	Cotton	Grassley
Blunt	Cramer	Hassan
Boozman	Crapo	Hawley
Braun	Cruz	Heinrich
Burr	Daines	Hoeven
Capito	Duckworth	Hyde-Smith
Cardin	Durbin	Inhofe
Carper	Enzi	Isakson
Casey	Ernst	Johnson

Jones	Paul	Shelby
Kaine	Perdue	Sinema
Kennedy	Peters	Smith
King	Portman	Sullivan
Lankford	Reed	Tester
Leahy	Risch	Thune
Lee	Roberts	Tillis
Manchin	Romney	Toomey
McConnell	Rounds	Udall
McSally	Rubio	Warner
Menendez	Sasse	Whitehouse
Moran	Scott (FL)	Wicker
Murkowski	Scott (SC)	Young
Murphy	Shaheen	

NAYS—15

Bennet	Hirono	Schatz
Brown	Markey	Schumer
Cantwell	Merkley	Stabenow
Cortez Masto	Murray	Van Hollen
Gillibrand	Rosen	Wyden

NOT VOTING—5

Booker	Klobuchar	Warren
Harris	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 80, the nays are 15.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The Senator from Louisiana.

FCC AND C-BAND AUCTION

Mr. KENNEDY. Madam President, I want to spend a very few minutes today to say thanks. I want to thank Chairman Ajit Pai and his colleagues at the Federal Communications Commission. The Chairman announced yesterday that he was going to put 5G technology and the American taxpayer first by holding a public auction, as opposed to a private auction, of what we call the C-band. It was a courageous decision that he made against a lot of pressure.

Allow me, for just a few minutes, to explain why that is important. We have all heard about 5G, which stands for fifth generation. It is a brandnew wireless technology. It means incredibly fast internet and cell phone calls. It means the ability to deliver as much as 100 times more data through wireless technology than we can do today.

We will notice it in our iPads; we will notice it in our computers; but we will notice it also in our cell phones.

As you know, a cell phone is really a sophisticated walkie-talkie. I will use the cell phone as an example to explain 5G. A cell phone is just a very sophisticated, much more complicated walkie-talkie. How does a walkie-talkie work? How does a cell phone work? Radio waves. The scientific term is "electromagnetic radiation."

A radio wave is just what it says, a wave that goes from my cell phone, say, to the President's cell phone through an antenna, a transmitter, and a receiver. A radio wave and the air through which it travels and the right to send a radio wave is a sovereign asset. It belongs to the American people. The American people own that

radio wave and the right to send it. Our FCC gets to decide who gets to use those radio waves and who has the right to send those radio waves.

There is a particular type of radio wave that is absolutely perfect for 5G. It is between 180 megahertz and 300 megahertz. Why are these radio waves so perfect for 5G? Well, because they strike a balance. First, the radio waves in that spectrum, as it is called, can go a fairly long distance, and they can carry huge amounts of data. That is going to make driverless cars possible. We have heard about those—the internet of things. That is going to make remote surgery possible, where a doctor who is in one place physically and through the internet, using a robot, can perform surgery on someone 1,000 miles away. 5G going through these special radio waves is going to make all that possible. It is going to change our lives.

Right now, those radio waves—I will call them the C-band spectrum—as I said, are owned by the American people. They are being used by three satellite companies—two from Luxembourg and one from Canada—and some other companies. They are satellite companies. They don't own those radio waves. They don't even have a license to use those radio waves. They didn't pay anything to get to use those radio waves. The FCC said they could use them. It is sort of like a month-to-month lease or rental agreement where you don't have to pay any rent.

Some time ago, those three companies came to the FCC and said: Even though we don't own those radio waves you allow us to use and even though the American people own those radio waves, which are perfect for 5G, we are willing to give them up to use for 5G, but here is what we want you to do.

The three foreign companies said: We want you to give us those radio waves, and then we will auction them off to the telecommunications companies that want to use the radio waves for 5G.

This was the kicker: The three foreign corporations said they want to keep the money.

Investment bankers estimate that through that auction being conducted by those three foreign corporations, as much as \$60 billion would have been generated. That is how much telecommunications companies would pay to get the license to use those radio waves.

Some people encouraged the FCC to do that. They said that we ought to do it because these three foreign companies can do an auction faster than the FCC can—even though the three foreign companies had never done an auction of spectrum and even though the FCC has done over 100 public auctions for other radio waves that the FCC has auctioned off. In doing that, the fine men and women at the FCC in charge of these auctions—they have been doing it for 25 years—have brought in \$123 billion for the American people.

That will build a lot of interstate, it will educate a lot of kids, and it will pay a lot of soldiers.

But our three friends—these foreign satellite companies—still said: Even though we have no experience, we can do it faster. If you let the FCC do it, it will take them 7 years.

Well, that just wasn't accurate. I have spoken to the people in charge of doing auctions at the FCC. In fact, on Thursday, they are going to appear before a subcommittee that I chair. We are going to talk about it some more. I don't know where this figure of 7 years came from, but it is just not accurate.

Nonetheless, the FCC came under—there are swamp creatures in the government; we know that. Some of these swamp creatures in and out of government put an awful lot of pressure on the FCC. These swamp creatures are trying to help some of their friends in the telecommunications business. One of the foreign corporations spent about half a million dollars lobbying. I am not saying there is something wrong with that. We all have the right to petition our government. But that is just the fact. I don't mean it in a pejorative sense.

The FCC was under a lot of pressure, but yesterday, the Chairman of the FCC, Ajit Pai, looked at all this. He resisted the pressure, and he announced that we are going to have a public auction. We are going to let every telecommunications company in America that wants to bid on these valuable air waves come forward and bid. We are going to do an auction within a year and probably less, not 7 years, and the money that is going to be generated is going to go to the owner of those radio waves, not the foreign companies that, through our benevolence, are now using those radio waves. The money is going to go to the American people.

I know what you are thinking. You are thinking: Gosh, how was this ever even an issue? This should have been a no-brainer.

Well, that is part of what is wrong with Washington, DC, in my judgment. Sometimes—not always but sometimes—the American people aren't put first. But yesterday, Ajit Pai, our Chairman at the FCC, put them first, and I just wanted to stand up today and tell him a genuine and heartfelt thank-you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. LANKFORD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PREVENT GOVERNMENT SHUTDOWNS ACT

Mr. LANKFORD. Madam President, in the last 40 years, we have had 21 government shutdowns—21. Twenty-one times, Congress and the President have

not been able to agree or the Senate and the House have not been able to agree. As a result of that, Federal workers around the country have faced the consequences of Members of Congress not finding agreement.

Help me understand this. Twenty-one times in 40 years, Federal workers who get up every single day and serve the American people and serve their neighbors have faced the consequences of furloughs because Members of Congress could not come to a resolution. It is not that it has gone unnoticed. For a decade or more, there have been solutions that have been proposed.

Ten years ago, I had a proposal in the House—actually, ROB PORTMAN had a great proposal in the Senate at the same time to deal with government shutdowns. Let's say when we get to the end of the fiscal year, we will just have a continuing resolution, but then we will cut spending every few months to press Congress to get to their work. The problem was, hardly anyone on the other side agreed with that. We couldn't get any bipartisan support for it. So my colleagues on the other side of the aisle proposed that if we get to the end of the fiscal year, we would have a continuing resolution, and every couple of months, the spending would go up, and it would just continue to go up and up and up until it was resolved. Well, they didn't have anyone on my side of the aisle saying “We are going to put in a mechanism that just increases spending over and over again without congressional involvement,” so they got no bipartisan support.

An idea was floated to just cut the pay of the Members of Congress. But it really wasn't cutting their pay; it was taking their pay and putting it in an escrow account and just kind of holding it for them, and then when everything was resolved, they would get their money back. So it really wasn't a reduction in pay; it was kind of a shell game—push those dollars off to another side and get them all back later just to make it look like you got a cut in pay. But that hasn't had wide support either. A lot of people have real concerns about that because, quite frankly, some Members of Congress are very wealthy; some Members are not. Some Members don't notice their congressional pay; some do. It is kind of a disproportionate piece of leverage to resolve this.

What is interesting is that all those proposals acknowledged one simple thing: This is a problem. It needs to be resolved. Federal workers are facing the consequences; Members of Congress are not.

About 5 months ago, MAGGIE HASSAN and I—this Chamber knows well the Senator from New Hampshire. She and I started working together on a nonpartisan—not just a bipartisan but a nonpartisan—way to stop government shutdowns. We have two very simple proposals.

There are two problems here. We need to stop Federal workers from getting hurt when there is a shutdown and

make sure those families are not hurt. The second thing is, we want to actually get to appropriations, not continuing resolutions.

When do you a continuing resolution for any length of time, like what we are in right now—we are in our eighth week of a continuing resolution right now. When you do one that long, it hurts temporary workers who are Federal workers. They are laid off in the process. Other folks are not. Many of these agencies need those temporary workers, and those temporary workers are counting on that salary. It hurts contracting because everything can't start in a continuing resolution. You have to wait until there are real appropriations before new programs can start. You can't stop old programs. You can't do purchasing. It creates a tremendous inefficiency in government.

Our simple idea was this: Let's find a way to protect Federal workers and get to appropriations. The solution we came up with is pretty straightforward. When we get to the end of the fiscal year, which right now is October 1, if appropriations are not done, there will be a continuing resolution that kicks into effect to protect Federal workers, but Members of Congress and our staff and the White House Office of Management and Budget—none of us can travel. Members of Congress will be in continuous session 7 days a week until we get appropriations done. And one more thing: We can't move to any issues other than appropriations. We are locked into that box.

Basically, if our work is not done, we all will have to stay until the work is done. I have had folks say that is not really a big consequence. A lot of folks do that all over the country all the time. If at the end of their workday their work is not done, they have to stay until they get it done. Small business owners know that full well. It is not like you can punch a clock. If the work is not done in a small business, you stay until it actually gets done.

Here is the thing. Go back to last December. When the shutdown started last December and we got to an impasse here between the House, the Senate, and the White House, Members of Congress and our staff all left and went home. Federal workers across the country all took a big, deep breath as they walked into the holidays because they were on furlough, but Members of this body walked out. That should never happen—never.

What Senator HASSAN and I are proposing is very simple. The pressure shouldn't be on Federal workers. They can't vote to solve this. The pressure should be on us.

For everyone in this body who says, "I don't like that kind of artificial pressure," why don't you feel what it is like to be a Federal worker for a while and those Federal employees? They don't like that pressure on them. So let's flip it. Let's put the pressure on us, where it should be, and get it off the folks, where it should not be, and let's stay until we get our work done.

This idea is overly simplistic, but what is interesting is, for the first time in a decade, there is an idea that has bipartisan support. We have multiple Members of this body who are looking at it, contemplating it, and then nodding their heads, saying: I would rather the pressure be on us than on the Federal workers and their families.

Let's solve this. We shouldn't have government shutdowns. We should have arguments over debt and deficit. We should have arguments over the budget. That is why people sent us here—to solve how their money is going to be spent most efficiently and argue about issues on debt and deficit.

In the meantime, why in the world would we want to hurt the very people who serve their neighbors, those people being the Federal employees around the country? Let's keep them out of it. Let's keep them still serving their neighbors, and let's keep the fight right here where it needs to be. Let's argue this out until we get it resolved, and let's not quit until we resolve it. It is a simple idea that Senator HASSAN and I actually believe will work.

In the decades to come, people will look back at the time when we used to have government shutdowns and will shake their heads and say: I can't believe there was a period of time during which the Federal government used to shut down when they argued. Now we stay until we get the issue settled.

It is a pretty straightforward idea, and I hope that more of my colleagues will join us in this absolute commitment to solving this for future generations.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. BENNET. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING KAY HAGAN

Mr. BENNET. Madam President, I want to spend a few minutes recognizing our late colleague and my friend Senator Kay Hagan.

Kay and I both came to the Senate in 2009. I had the privilege of working with her on two committees—HELP and Banking. As a former vice president of the North Carolina National Bank, she had a lot more to offer to that committee than I had, and I tried to learn from her whenever I could. Kay and I both came to the Senate in the middle of the worst recession since the Great Depression. We were losing 700,000 jobs a month, and millions were losing their homes. It was an incredibly difficult moment for the country, but it brought out all of Kay's best qualities.

Everyone knew that Kay faced some of the toughest politics of any Member of our caucus, but in those early days, I saw her take vote after vote on some

of the hardest issues. She never wavered. She voted for the Recovery Act to save the economy when we were in free fall. She voted for Dodd-Frank to restore confidence and accountability to the financial sector, which was something she knew quite a lot about. She spoke out against amendment No. 1 in North Carolina and for marriage equality. She also cast a decisive vote for the Affordable Care Act.

As a Democratic Senator from North Carolina and as a freshman Senator, none of those positions were easy to take, but she knew they were the right places to be for her State and for the country. Because Kay did what she did, millions of Americans kept jobs they would have lost, and millions of Americans gained quality, affordable health insurance for the first time in their lives. In her home State, the LGBT community had a Senator in Washington who, for the first time in history, was willing to fight for their full and equal rights.

One of our colleagues, the senior Senator from Tennessee, likes to say: If you have come to Washington just to hear yourself talk, just stay home and get a job on the radio. It is not worth the trouble of your coming all the way here.

Kay didn't come to Washington to talk. She came to work and to lead.

Over her term, Kay was a fierce and principled advocate for North Carolina. As a member of the Committee on Armed Services, she helped to prevent cuts to tuition programs for veterans. She sponsored the Lilly Ledbetter Fair Pay Act to help close the gender pay gap across the country. She worked across the aisle to promote conservation and outdoor recreation, which is something we appreciate in my home State of Colorado.

She was a lot less interested in the empty politics of this town and a lot more interested in making progress for the people of North Carolina and for our country. She was a voice of reason, pragmatism, and humility in this body, which sorely lacks all three. In other words, Kay took her job seriously but never herself, and no matter how difficult it might have been, she never failed to put the people of North Carolina ahead of the politics of the moment. It is why she earned deep respect from both sides of the aisle, not only for her work ethic but for her kindness, her warmth, and her grace. There was not a room in this complex, including the one I am standing in right now, that wasn't brightened the moment that Kay Hagan walked in.

To Chip, her husband, and to their kids—Jeanette, Tilden, and Carrie—I hope you know how proud we all are of Kay. She represented the best qualities of North Carolina. It is why her colleagues adored her. It is why her staff loved her and revered her, and it is why all of us who had the privilege of working with her in this body will miss her terribly.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. WICKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SATELLITE TELEVISION EXTENSION AND
LOCALISM ACT REAUTHORIZATION ACT

Mr. WICKER. Madam President, I rise this afternoon because there is a legislative deadline in front of this body that we dare not miss. Even as I speak, our colleagues in the House Energy and Commerce Committee are considering the Satellite Television Extension and Localism Act Reauthorization, or STELAR. For 30 years, STELAR and previous versions of the law have allowed people who live beyond the reach of a broadcast signal to receive broadcast programming nonetheless.

Some Senators believe that in 2019, STELAR has outlived its usefulness and want it to expire, but other Senators want to extend some of these provisions—at least in the short term—to prevent consumers from losing these broadcast signals; still others want to use the STELAR reauthorization legislation as a vehicle to implement other reforms.

I have introduced new legislation, the Satellite Television Access Reauthorization—or STAR—Act to move this process forward. The existing STELAR statute expires December 31. So absent congressional action before the end of the year, the provisions included in STELAR that enable nearly 870,000 Americans to access broadcasting TV signals will no longer be the law of the land. These Americans who depend on STELAR are mostly in rural parts of this country, like my home State of Mississippi. They include truckers, tailgaters, and RV drivers, and they include Americans living in very remote areas.

I say to my colleagues, now is the time for Senators to make their positions clear. Over the course of this year, I have been polling Members to ascertain what this body wants. As chairman of the Senate Commerce Committee, I will act according to the majority wishes, but time is running short. Many people point to the fact that the media landscape is changing. There are more options for video content than ever before. New programming is coming out every day that is being streamed through new services. Those are all great things.

As I said at a June Commerce Committee hearing, we are living in the golden age of television. The Commerce Committee has been working to close the digital divide between rural and urban America to make sure all families can access those choices and all families can be a part of the golden age, but there are still Americans without Internet access and without broad-

cast signals. They deserve the ability to view basic television services just like everyone else.

Without the reauthorization of STELAR, many Americans will not be able to watch broadcast news or enjoy access to programming that is available for the rest of the country. They will be on the wrong side of the digital divide, and there will be a wide cultural divide, as they would be cut off from the flow of programs and information.

If Members of this body are of a mind to move forward with some extension of this statute, we will work with our colleagues in the House. That may include improvements and enhancements to STELAR that address good faith requirements, level the playing field in the marketplace, promote access to programming, and ensure robust competition, but we don't have much time.

After this week, Senators will go home for Thanksgiving. Many of those across the country who benefit from STELAR in our States will watch football games and the Macy's Thanksgiving Day Parade, thanks to the STELAR law. They will enjoy time with their families, and I look forward to doing the same, but when Congress returns, there will be just 2 weeks—10 legislative days—to finalize any legislation and send it to the President for his signature.

In this body, taking no action is easy. It comes naturally. But in this case, no action equals the repeal of the STELAR law in its entirety, and Members should know that. They have 10 days to ensure 870,000 Americans will be able to watch the same programs next year that they are seeing this year, or we can let STELAR expire and take the risk of letting the chips fall where they may.

To repeat, my colleagues should be advised they need to make a voice that is heard on whether the STELAR legislation needs to be extended or expire.

Thank you, Madam President.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 2486

Mr. CASEY. Mr. President, I rise today to urge immediate passage of the bipartisan FUTURE Act, which is H.R. 2486, to restore critical funding for historically Black colleges and universities, known by the acronym here in Washington as HBCUs, as well as minority-serving institutions, so-called MSIs.

The \$255 million in funding that HBCUs and MSIs rely on lapsed on September 30 of this year. Both the historically Black colleges and univer-

sities and the minority-serving institutions are underresourced and don't have the flexibility to operate in the red in the hopes of potential reimbursement later on.

Campuses are already feeling this impact. Just 2 weeks after this program expired, some campuses notified employees that their positions and programs may be terminated. We are talking about real people losing their jobs and programs being cut that play a critical role in graduating and retaining students in the STEM field—science, technology, engineering, and math fields. All of this is impacting students across the country. Presidents of some of these institutions have told us that planning has “all but stopped.” This funding lapse is urgent, and it must be addressed now.

From the perspective of my home State of Pennsylvania, we have two of the oldest historically Black colleges and universities—two of the oldest in the whole country—Cheyney University, as well as Lincoln University, and, in addition to that, a growing Hispanic-serving institution, in this case, the Reading Area Community College.

We know that the investment made by the FUTURE Act will support college completion and academic opportunities at these and all historically Black colleges and universities and minority-serving institutions across the country. The FUTURE Act is fully paid for. It would not add to the deficit. It has strong bipartisan support in both Chambers.

My colleagues in the majority are holding this funding hostage in an effort to pass what I would argue is a partisan bill. That is not just my argument or my opinion; some of my Republican colleagues have said this is the reason they are holding up this critical legislation.

Instead of passing a bipartisan comprehensive reauthorization of our future higher education law, which my colleague Senator MURRAY is pushing for, some Republicans want to force Democrats to support a partisan bill.

Instead of working in a bipartisan fashion to fix our current system so it works better for students, families, and teachers, they want us to support a so-called micropackage, the Student Aid Improvement Act. This act, in my judgment and the judgment of others, fails to address a number of critical areas, including improved campus safety and access to higher education affordability and accountability. Because of that, it maintains the status quo.

Make no mistake, the Student Aid Improvement Act is a partisan bill. The bill fails to address the challenges students are facing in obtaining a college degree—including childcare, housing, food and mental health, among others—nor does it address the needs of first-generation students, students of color, and students with disabilities.

Let's debate these issues. Let's come to the table to negotiate on a bipartisan overhaul, but let's not hold historically Black colleges and universities and minority-serving institutions hostage in the meantime. We can get something done in the short run that would be beneficial to these institutions.

We need to ensure that colleges and universities have the resources to provide support to all students they serve, including students with disabilities. A couple of examples of some of my bills—the Higher Education Mental Health Act, which is supported by over 250 college and university presidents, including 15 of the historically Black colleges and universities—would help institutions of higher education identify the resources and services needed to support their students with mental health needs.

A second bill of mine, the RISE Act, would make it easier for colleges to provide support to students with disabilities by accepting student assessments from high school and smoothing the transition to higher education.

A third bill, my Expanding Disability Access to Higher Education Act, would increase the funding for TRIO Programs that serve first-generation students with disabilities and make higher education more accessible.

These bills would provide the resources needed for students to be successful as they pursue higher education, but without a comprehensive bill, the needs of these students will continue to go unmet. Rather than blocking vital resources from flowing to our Nation's historically Black colleges and universities, we should immediately pass the FUTURE Act. This would restore funding, while providing us time to work on a comprehensive reauthorization that addresses the needs of all students.

Mr. President, I ask unanimous consent that as in legislative session, the Senate proceed to the immediate consideration of Calendar No. 212, H.R. 2486. I ask unanimous consent that the Murray amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am reserving the right to object.

I have a better idea, which I am going to offer to the Senate once again. It is permanent funding for historically Black colleges at the level of \$255 million a year. The distinguished Senator from Pennsylvania has stated he doesn't want a piecemeal bill. He wants a more comprehensive bill. I have offered such a bill and introduced it in the Senate. I will describe it in a few moments when I ask unanimous con-

sent to pass it, and it will include not a 2-year short-term fix based upon a budget gimmick, which will have difficulty passing the Senate, but permanent funding of historically Black colleges and minority-serving institutions.

It will include simplification of the FAFSA, the form that 8 million minority students fill out every year, which in our State is the biggest obstacle to minority students having an opportunity for higher education and a variety of other bipartisan proposals.

I am ready to pass a comprehensive bill. I offered one before. It was blocked by my Democratic friends. I am going to offer it again in a minute, and we will see if they agree to it, but I don't think we should pass a piecemeal bill. I agree with the Senator from Pennsylvania. I think we should be more comprehensive, and not only that, we should do permanent funding of historically Black colleges.

The last point I will make before I object is that the U.S. Department of Education has written all the presidents of the historically Black and minority-serving institutions and said there is sufficient funding in the Federal Government for the rest of the year—fiscal year—until October 1 of next year. So while we need to finish our work, there is no crisis at the moment, so let's do the job right.

I will offer, in just a moment, the way to do that, which is permanent funding of historically Black colleges and minority-serving institutions. I object.

The PRESIDING OFFICER. The objection is heard.

The PRESIDING OFFICER. The Senator from Tennessee.

UNANIMOUS CONSENT REQUEST—S. 2557

Mr. ALEXANDER. Mr. President, for the convenience of the Senator from Pennsylvania, I am going to offer my unanimous consent agreement at the beginning of my remarks, and then if he wishes to stay, he can, but if he has another place to go in his schedule, he may do that.

Let me just say that the provision I am going to—let me preface it in this way. I know very well the value of historically Black colleges. One of my favorite stories is the story that the late author, Alex Haley, the author of "Roots" and "The Autobiography of Malcolm X"—I suppose the two best selling books ever on the history of the African American—used to tell about his father, Simon P. Haley, who was wasted as a child. That was the word they used.

He was allowed to go to college, and he went to North Carolina A&T where he was ready to drop out. He came back, got a summer job on a Pullman train to Chicago, and a man talked to him at night asking him for a glass of warm milk. He got the glass of warm milk and thought nothing more about it. He went back to North Carolina A&T, a historically Black college.

The principal called him in. He thought he was in real trouble, as the

president of the college called him in. Simon P. Haley thought he was in real trouble. The President of the college said that the man on the train had sent enough money for Simon P. Haley to graduate—to pay his tuition to graduate from college.

So Alex Haley wrote for the Reader's Digest the story of the man on the train who helped his father. That father went to Cornell and became the first Black graduate of Cornell's agricultural college. He came back to Lane College, one of the six historically Black colleges in Tennessee, where he taught and raised a son, who is a lawyer, later Ambassador to Gambia; two daughters, one a teacher; he raised another son, an architect; and then he raised a son he thought wouldn't amount to anything who joined the Coast Guard and ended up writing a Pulitzer Prize-winning book, "Roots," and "The Autobiography of Malcolm X."

I know the value of Lane College, Fisk University, Tennessee State University, Lemoyne-Owen College, Meharry Medical College, and America Baptist College, and I want to help them. The request I am going to make is that the Senate pass a small package of bills that are sponsored by Democrats and Republicans, 29 Senators—17 Democrats and 12 Republicans. The first provision would be permanent funding. That is \$255 million every year permanently for historically Black colleges and minority-serving institutions. A second provision—I ask consent to use this document on the Senate floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. That is the FAFSA. This is the document that 20 million Americans fill out every year. We know how to reduce it. It is the biggest impediment to minority students going to college today. We are ready to pass it. Eight million minority students fill this out. The president of the Southwest Community College from Memphis tells me he loses 1,500 students a semester because of the complexity of that.

There are other provisions in this package, which include the Portman-Kaine provision for short-term Pell grants sponsored by about 20 Senators, many of them Democrats; the provision for Pell grants for prisoners who are eligible for parole; an increase in the number of Pell grants; an increase in the amount of Pell grants. All of that is in this package that I have offered, but it starts with permanent funding for historically black colleges. Since there is time until October 1 of next year, the Department of Education has said that there is plenty of Federal funding for all of those institutions. There is no reason we can't agree to my package today, send it over to the House of Representatives, send it to the President, and let all of these institutions know they don't have to worry about funding permanently instead of just for 2 years.

So, Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2557 and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, reserving the right to object, I just want to make a couple of comments by way of response.

I really want to go back to what we said earlier. There is no reason we can't at least get this piece of legislation done. I will say it again: These institutions are underresourced. They don't have the flexibility to operate in the red in the hopes of potential reimbursement later on.

We are also told by the institutions themselves that planning has "all but stopped." Campuses are feeling this impact already. Just 2 weeks after this program expired, some campuses informed employees that their positions and programs may be terminated. So I would argue that the present circumstance is not acceptable.

I realize the chairman wants to proceed to other issues, and I respect that, but when you consider what he is proposing, there are some changes that should be pointed out.

First of all, when considering the proposal he has, in comparing what it would do, for example, on the Second Chance Pell proposal, that only contains a limited repeal of the ban rather than a full repeal of the ban. Any reference to the JOBS Act making short-term programs eligible for Pell grants—a bipartisan bill that was introduced—excludes for-profit colleges. In this micropackage that the chairman is proposing, the for-profit colleges are added back in.

No. 3, just by way of some examples, in the Grassley-Smith bill on financial aid award letters, some changes were made to that on financial aid award letters that weren't contemplated by the bill's original authors.

Our legislation is fully paid for. It reinvests up to \$55 million in recovery programs. For several reasons, by way of contrast but also by way of what is happening right now with regard to these institutions—for those and other reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I know this Senate is a deliberative body, but we have been working on higher education for 5 years in our committee, and suddenly, out of the blue, comes a bill out of the House which says that we have an emergency in one provision of the Higher Education Act; don't take it through committee. That is the way we usually do things.

The distinguished Senator from Louisiana is a member of this committee, and the Senator from Pennsylvania is a valued member of the committee. We have a pretty good reputation for working together, despite our differences, in fixing No Child Left Behind, 21st Century Cures, opioid legislation. Healthcare is a contentious issue, but by a vote of 20 to 3, we brought out a bill to lower healthcare costs.

Yet the suggestion is that we take this bill to the Senate floor without any consideration by the committee. That is not the way we usually do things.

Let me reemphasize that the U.S. Department of Education has told every one of the historically Black colleges and minority-serving institutions that there is sufficient Federal funding between now and October 1 of next year. There is no reason to cut anybody's pay and no reason to stop planning. That is what the Federal Government has told those institutions. That is plenty of time for us to take a provision—such as the one I have proposed or such as the one that the distinguished Senator from Pennsylvania has proposed—through our committee and recommend to the full Senate what we ought to do.

Let's not minimize what else there is to do. I mean, we literally have been working for 5 years on simplifying this FAFSA. There are 8 million minority students who fill it out every year. I think we should be concerned about the 300,000 students who attend historically Black colleges and universities. Many of them fill this out. I am told by the former Governor of Tennessee that filling out this complicated form is the single biggest impediment for low-income students having an opportunity to go to college because their families think it is too complicated.

Well, we know what to do about this. Senator BENNET, the Democratic Senator from Colorado, and I began working on this 5 years ago. Senator MURRAY, the Democratic Senator from Washington, and I recommended that the Senate pass legislation getting rid of 22 questions that were double reporting. You have to tell the IRS some facts, and you have to tell the Department of Education the same facts, and then they come in the middle of the semester and try to catch you having one answer here and another answer there. So at East Tennessee State University, 70 percent of the student body has their Pell grant verified, and some of them lose their Federal funding while they check to see if the information they had to give to two Federal agencies is different. We passed the Senate with that—Senator MURRAY and I did that last year.

So why should we wait on this? I don't think we should wait on permanent funding for historically Black colleges, but why hold this hostage to that?

I am ready to move ahead on permanent funding for historically Black col-

leges. I am ready to move ahead on simplifying the FAFSA for 8 million students who fill this out every year. I am ready to move ahead on short-term Pell grants. I have been working with the Senator from Washington on this and with other Members of the Senate. I think we are moving to a consensus. We have time to do this right. Let's take it through committee and send back to the House of Representatives a permanent solution.

I think it is very important that we make clear to all of the presidents and all of the students at historically Black colleges and minority-serving institutions, No. 1, you have a year of funding ahead of you; No. 2, you have a proposal by the chairman of the Education Committee that will permanently fund what you are doing; and No. 3, our Democratic friends are asking that the Senate pass short-term funding that will create another funding cliff within a matter of months and that is funded by a budget gimmick that will never pass muster in the Senate. That is not going to happen.

So we need to work together as we normally do and come to a conclusion on the Higher Education Act, including permanent funding of historically Black colleges and minority institutions. I am ready to keep doing that. But I am also ready to encourage the passage not only of the provisions that I have introduced and that I asked for permission to pass today, which the Senator objected to, but other provisions that might be included.

I think 5 years is long enough to work on the Higher Education Act. I am coming to the conclusion we have time to do it, and I look forward to saying to our six historically Black colleges in Tennessee that the result of our hard work and debate and discussion has been permanent funding, so you don't have to worry about Federal funding.

Mr. BURR. Mr. Chairman, will the Senator yield?

Mr. ALEXANDER. I will yield.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank the chairman for yielding, and I am here as living proof that he is not the Lone Ranger on this. The committee has worked diligently. We may not be as passionate as he is, but the committee has worked diligently to get higher education done.

It is a farce to come in here and think that we are going to pass a 2-year House bill to fund historically Black colleges. Nobody has more historically Black colleges in their State than I do. What they want—they want predictability, permanent funding. The chairman is willing to do that, but part of the condition to do that is to sit down and, now, quit talking and pass higher education. Reduce the FAFSA application to one page. Let these students go out—and their parents—and be able to fill this out and not miss an education because they can't go through the laborious process.

What the chairman has laid on the table is reasonable. The committee has talked about it for years. Now it is time to act. It is not time to act on one little piece of it for temporary funding. It is time to provide permanent funding for that and to do the rest of higher education.

As proud as I am of our being the home of the majority of Black colleges and universities, I also have about 70 other colleges and universities in North Carolina, and they are the beneficiaries of everything else that is in this education bill.

Compromise is not about "Take what I have" and not give anything else. We have been trying to work, with the chairman and the ranking member working together, to find compromise for 5 years. Many times the chairman has come to me and said: I think we can do it this year. Well, we have to have willing partners on the other side of the aisle. Today is a live example of where it is either their way or no way.

I hope we can get back, and, before we leave this year, we can get this package passed. It is really simple: Just commit to do what we all have sat down and talked about for 5 years. If there are minor changes that need to be made, let's make them in the next day or two. But to say that we are going to wait until next year and be here a year from now when that timeframe has run out, let me assure you, if the chairman is not here to object to this request, I will be here to object to this request.

The time to talk is over. The time to act is now.

I thank the chairman for yielding.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Just a couple of points on where we are: There is no question that, in my judgment, if you have more time to consider these issues for a full reauthorization, we could address some of the shortcomings that have been proposed already. I mentioned earlier issues that are not addressed, such as childcare, housing, food and mental health, the needs of first-generation students, needs of students of color, and students with disabilities. We can do that if we can get through this short-term period. We are asking for help only for a very limited timeframe so that we can work through these other issues.

The second point I would make is, I can't stand in the shoes of the leaders of these institutions, but when they tell us that they are in a difficult circumstance in the short run, I will take their word for it. The word of the Department of Education—just from my point of view—doesn't compare to what these institutions are telling us. So I think we should rely upon the representations by the leaders of the institutions and act in a short-term fashion, all the while committing ourselves to have a longer process to fully explore and try to reach consensus on a range of issues that come under the broad purview of reauthorization.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I want to thank the Senator from Pennsylvania for coming to the floor today on an issue I know he cares about. I thank the Senator from North Carolina.

We are accustomed to working together. We are accustomed to getting results, and I want to get a result on this.

I agree with both Senators in this sense: I think it is time to send a signal to historically Black colleges and minority-serving institutions that they don't have to worry about funding for the future. For the next year, the Department of Education has told them: You have the money for the next year. It shouldn't take us a year to finish our work.

So I look forward to sitting down with the Senator from North Carolina and the Senator from Pennsylvania and working out their differences on the provisions that we have. We have the basis for a very good higher education bill—the permanent funding for historically Black colleges, the simplification of the FAFSA, which affects 20 million families every year. We have broad bipartisan consensus on simplifying how you pay back student loans. There are nine different ways now. We could reduce that to two. That affects 43 million families.

The short-term Pell grants make a big difference.

So we have a number of provisions, and I am working well, as I always do, with the Senator from Washington, Mrs. MURRAY. I would like to bring this to a conclusion as rapidly as we can. I think this debate has been useful to do that. I look forward to continuing it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, for this 259th climate speech, I am going to return to the theme of corruption. Before diving into the how, let's start with the why because the scale and the remorselessness of the scheme of corruption the fossil fuel industry has run is hard to comprehend without understanding why.

Here is the why. The fossil fuel industry reaps the biggest subsidy in the history of the planet. I will say that again. The fossil fuel industry reaps the biggest subsidy in the history of the planet. The IMF—International Monetary Fund—estimates that the global subsidy for fossil fuel is in the trillions of dollars every year. That is globally. In the United States alone, the fossil fuel industry got a \$650 billion—that is with a "b"—subsidy in 2015, according to the most recent report from the IMF. That is about \$2,000 out of the pocket of every man, woman, and child in the United States. Here is that IMF report. Look it up. Read it and weep.

Stop for a minute and understand this subsidy. Some of it is favorable

tax deals and other direct subsidies that pour public taxpayer money into the pockets of this polluting industry. In recent years, that has been estimated at around \$20 billion annually.

The vast bulk of this \$650 billion is something else. It is people getting hurt. It is the cost of people suffering economic harms. It is the cost of your home burned in a wildfire or swept away in a storm by rising seas. It is the cost of farms withered from unprecedented droughts or crops drowned in unprecedented flooding. It is the cost of fisheries that are lost or moved away as oceans warm and acidify. It is the lost day of work with your kid in the emergency room waiting out a climate-related asthma attack on the ER's nebulizer. It is the cost of tick-borne and mosquito-borne illnesses that didn't used to be where you live. It is the cost to dive tours of tourists seeing dead, white, bleached coral reefs instead of vibrant undersea gardens and the cost to snowmobile moose tours of going through mud instead of snow and when you see moose, seeing emaciated moose calves with thousands of ticks slowly killing them. It is the cost of American military deployments to conflicts caused by resource scarcity or climate migration. It is the cost of relocating Naval Station Norfolk when the community around it floods out. It is the cost of Glacier Park with no glacier. It is the cost of trout streams with no trout. It is the cost of millions of acres of healthy forests killed off by pine beetle infestation. It is the cost to Phoenix of staffing up emergency services when it is not safe to work outside because it is too hot and lost airline flights out of the airport when the tarmac melts. It is the myriad costs of basic operating systems of the natural world gone haywire because of climate change.

All this pain, all this loss, all this suffering has a bloodless economic name: externalities. Externalities are the social costs that are imposed on others by the use of a product. Pollution, of course, is the obvious example. In economic theory, those social costs should be baked into the price of a product. That is why courts and companies and countries around the world apply a social cost of carbon calculation.

But destroying the basic operating systems of the planet is a high-priced externality—by the IMF report, \$650 billion in 2015 just in the United States. And because it is hard to calculate a price for so much of this harm, that is a lowball estimate. For instance, we can estimate the loss to the dive shop of the coral reef off the coast dying, but is that really the full cost of the dead reef? There is a lot more. So the externality is probably well over \$650 billion.

By comparison, let's look at the five major oil companies' earnings. The five major oil companies earned somewhat more than \$80 billion in profits last year all around the world, all right?

Global profits are \$80 billion versus \$650 billion in destruction and harm they caused just in the United States. So make those oil companies follow the rules of market economics. Make them put the cost of the harm of their product into the price of their product—\$80 billion versus \$650 billion—and guess what: Their business is in a \$570-plus billion hole. That is why the fossil fuel industry is so corrupt. It knows it needs to break the laws of market economics in order to survive, and it knows it needs political help to do that.

Fortunately for the fossil fuel industry, up against that \$650 billion subsidy, politicians come cheap. They could put \$650 million into politics every single year, and it would earn them a 1,000-to-1 return on that expenditure protecting the \$650 billion subsidy.

So that is the why of fossil fuel corruption: It pays. It pays hugely. It is as simple as that. They are corrupt because it pays.

Now let's look at the how.

By the way, they have some expertise in this area. These companies operate in the most crooked countries in the world, so they know how to work crooked deals and politics. But what happened here in the United States? Well, I saw it happen. The big change came when five Republican Supreme Court Justices gave this industry and other mega industries big new political artillery. It came in the disgraceful Citizens United decision that let unlimited special interest money into our elections.

I will tell you, there is no special interest more unlimited than fossil fuel. Fossil fuel front groups were all over that Supreme Court case, by the way, signaling to the five Republicans on the Court what they wanted them to do, and sure enough, they did it.

Of course, it does take some fun out of spending unlimited money in politics if people can tell who you are. In theory, we were supposed to know. To get to the outcome the fossil fuel industry wanted, the five Republican Justices had to pretend, as a legal matter, that all this political spending—all this unlimited political spending they were authorizing—was going to be transparent, that we would know who was behind it.

Well, that transparency was not going to work very well for Exxon or Koch Industries or Marathon Petroleum, so they cooked up all sorts of schemes to hide behind. Tax-deductible 501(c)(4)s appeared that can hide their donors. Trade groups like the U.S. Chamber of Commerce got taken over and co-opted. Disposable shell corporations turned up behind political donations. An enterprise called Donors Trust was established, whose sole purpose is to launder the identity of big donors.

By the way—back to Citizens United—those five Republican Justices would have to be idiots not to see this

apparatus of phony front groups out there mocking their assurances of transparency—assurances that were at the heart of the Citizens United decision—but those Justices have studiously ignored this flagrantly obvious flaw and have made zero effort to clean up their unlimited-spending, dark-money mess. I was taught as a kid that you are supposed to clean up the messes you made. That is not a message that got through to the ‘Roberts Five.’

We have addressed this flotilla of propped-up, dark-money front groups in the Senate before. We call it the web of denial. Academics who study these groups have documented well over 100 of them in the last decade. That sounds like a lot—100 front groups—but remember, there is \$650 billion a year riding on this. And it is a really big help if you can pretend you are, say, Americans for Peace and Puppies and Prosperity instead of ExxonMobil or the Kochs or Marathon Petroleum. People tend to get the joke when the ad says: Brought to you by ExxonMobil.

So they have the motive and the means to spend millions of political dollars and to do so from hiding. How much do they spend? Well, that is hard to tell because the whole purpose is to hide. Responsible watchdogs won't even venture a guess as to how much dark money is sloshing through the political system, but total dark money spending on Federal elections has been at least \$700 million since the Citizens United decision, according to the Center for Responsive Politics. The lion's share of that dark money is probably from fossil fuels because, first, nobody else has the same corrupt motive on the scale of fossil fuel. Plus, when you look at the spending, it is usually groups who can be connected to fossil fuel. And for most, the activity is climate denial and obstruction, so it is fossil fuel work being done. So it is pretty easy to conclude who is likely behind all this.

For colleagues who weren't here before 2010, let me tell you, things were different then. In 2007, 2008, and 2009—those were my first 3 years here—there were lots of bipartisan climate bills kicking around the Senate, real ones that would have headed off the crisis into which we are rocketing right now. Heck, in 2008, the Republican nominee for President ran on a strong climate platform.

After the Citizens United decision in January of 2010, all of that was snuffed out. An oily curtain of denial fell around the Republican Party as the fossil fuel industry brought its new political weapons to bear. The before and after comparison is as plain as day, and it cost us a decade of inaction when time was of the essence. It has been a high cost except, of course, for the fossil fuel industry, whose lying and denying, whose front groups and dark money, whose political obstruction and threats still remain fully dedicated to protecting that \$650 billion subsidy.

Do the math just for a second. At \$650 billion a year, from January 2010 until now, Citizens United let the fossil fuel industry protect nearly \$6 trillion in subsidy—\$6 trillion in losses to our constituents, \$6 trillion that this industry dodged in the laws of market economics to foist on everyone else—and you wonder why they worked so hard to take over the courts.

The fossil fuels' denial operation and obstruction operation is likely the biggest and most corrupt scheme in human history. I can't think of one that is worse, and it is still operating today—right now—as I stand here and speak. Its oily tides pollute our public debate with deliberate falsehoods and nonsense, grease our press to steer away from this subject, slosh slimily through the hallways of this very building, and grip the Supreme Court in a web of oily, dark money influence. We have become like the people who have lived in the shadows for so long and have forgotten what sunlight, what free debate, what laws based on facts can look like.

The fossil fuel industry has polluted our American democracy on as massive a scale as it has polluted our atmosphere and oceans. For those in our history who gave up their lives—who died in the service of our democracy—who are looking down on us now, that pollution of the democracy they died defending must be a bitter spectacle.

As a boy, there was an ominous hymn that we often sang in chapel about how “once to every man and nation comes the moment to decide, in the strife of Truth with Falsehood, for the good or evil side.” “Truth,” the hymn went on, is “forever on the scaffold, wrong forever on the throne,” but “though the cause of Evil prosper, yet ‘tis Truth alone is strong.”

Now is our moment to decide: Do we finally bring down fossil fuels' false Babylon of corruption or, in the strife of truth with falsehood, do we keep protecting the evil side?

I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

FREEDOM AROUND THE WORLD

Mrs. BLACKBURN. Mr. President, it really has been quite a year here in Washington for drawn-out policy battles. It is November, and we are still fighting over defense spending, trade, and the results of an election long since decided in 2016.

A quick flip through this morning's world news sections serves as my daily reminder that Americans really do have so much for which to be thankful. One might even feel inclined to say we are really lucky to live here in the United States. Yet I will tell you that luck really doesn't have a lot to do with it. Our freedom was bought with the blood of thousands who instigated a revolution in spite of being outspent, outmanned, and outgunned by the global superpower of their time, and thank goodness they had that fighting spirit. That same absolute belief in the

right to self-determination went on to fuel the abolitionists, the women's suffragists, and the civil rights warriors. Their fearlessness inspires freedom movements that we are seeing all across the globe today.

Just a few months ago, heads turned toward China as thousands of Hong Kong people poured into the streets and said no to Beijing's stranglehold, but just saying no wasn't enough. Now their neighborhoods and universities have morphed into war zones, and Chinese authorities have long since justified shooting live rounds of ammunition into the crowds.

Imagine the intensity of the fear it takes to push a government to fire on its own people when the entire world is watching. Beijing is worried, but Beijing will also not hesitate to use any force it deems necessary to tighten its grip on Hong Kong.

Now, here in the Senate, we are working on a few pieces of legislation to let the Chinese and the Hong Kong Governments know that the United States is watching. We have included a bill that will prevent U.S. companies from exporting crowd control supplies to the Hong Kong Police Force. It is important, though, for everyone to understand that the motivating factors behind political oppression have nothing to do with tear gas or with stun guns. There is only so much that legislation can do.

Governments in Iraq, Vietnam, Algeria, and Lebanon are also hard at work in doing whatever they can to prevent their citizens from stepping out of line, because they know what will happen if their citizens are free to criticize the state, and they are terrified of losing power.

This month, the entire world looks toward Central Europe to commemorate the fall of the Berlin Wall. When East Berliners first stepped into the western half of their city, they revealed to the rest of the world the horrors of living under a political regime that sustained itself by consuming the autonomy of its subjects. History serves as an enduring warning against the dangers of the all-powerful state.

As we watch mass protests play out a half a world away, many Americans still see social chaos not as a symptom of a disease but as a spontaneous expression of some nebulous desire to be free. They don't stop to recall what sparked the first feelings of unease long before the Molotov cocktails started flying through the air.

This is why, here in the United States, my colleagues in the majority have forced many conversations on the perils of degrading the foundations of our Republic. We have debated ad nauseam the Constitution's place in civil and legal discourse, asking: Does it provide a workable standard or is it just an outdated piece of paper now rendered illegitimate by the male whiteness of its drafters? I think the Presiding Officer knows my response.

We defend the Constitution and the system of government it created be-

cause we know, from studying history and from observing current events, that freedom does not suddenly expire. Freedom begins to wither the moment those in power convince themselves that a reprieve from uncomfortable policy debates over speech, self-defense, or the size of government will be worth the risk of shelving the standards that protect individual liberty.

The current blase tolerance and, in some cases, incomprehensible enthusiasm for socialism and other authoritarian philosophies is sending a strong message to the rest of the world that the standard for global freedom is up for debate. If we acquiesce to the argument that America's founding principles have passed their expiration date, we will have failed as a people and as a world leader. That failure will change the course of our history, and it will be used as a weapon to quash dissent elsewhere in the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

HONG KONG HUMAN RIGHTS AND DEMOCRACY ACT OF 2019

Mr. RUBIO. Mr. President, in a moment here, as my colleagues gather, we hope to pass the Hong Kong Human Rights and Democracy Act.

I first acknowledge all of the people who worked so hard on it—our staffs, obviously, and, in addition, Senators CARDIN, RISCH, MENENDEZ, and over 50 cosponsors, many of whom will join us here this evening. I also thank Leaders MCCONNELL and SCHUMER for their support in helping us get here. I thank Chairman CRAPO, who has helped us make some important changes at the end that will make the sanctions easier to implement.

A lot of people have been watching on the news the protests that have been going on in Hong Kong and are wondering as to, perhaps, the depths of what it is all about.

When the United Kingdom handed Hong Kong over to China, they signed an agreement that is known as the Joint Declaration. It basically guarantees a high degree of autonomy and freedom of the people of Hong Kong. As a result of that agreement, the United States has treated commerce and trade with Hong Kong differently than it has its commercial and trade activity with the mainland of China. What has happened over the last few years is the steady effort, on the part of Chinese authorities, to erode that autonomy and those freedoms.

The most recent protests really began with a proposal to pass an extradition law that would allow the Chinese Government to basically have arrested and extradite someone in Hong Kong over to the mainland. There was a huge pushback against that, and protests emerged as a result of it. Even though the Government of Hong Kong has pulled out from pursuing that law, the protests have continued because

the people of Hong Kong have seen what is coming. They see the steady effort to erode their autonomy and their freedoms.

The response by the Hong Kong authorities, with its having been under tremendous pressure from Beijing, has been that of violence and repression. So far, over 5,000 people have been arrested in Hong Kong. The youngest has been 12 years of age. The oldest has been 82. Hundreds more have been injured by violence committed by police authorities but also by street gangs—criminals, thugs—who have been empowered and encouraged by the Chinese authorities.

This effort by China to exert control and remove autonomy continues unabated. Here are some examples. There was a law that was passed that banned wearing masks, and a Hong Kong court ruled that the ban was unconstitutional. The so-called National People's Congress in Beijing today ruled that Hong Kong courts have no authority—no power—to review Hong Kong Government legislation. Under pressure from Beijing, the Government of Hong Kong threatened to cancel the November 24 elections—elections, by the way, that China has been interfering in. China has pushed to ban critics, like Joshua Wong, from running. Seven candidates who are running have been attacked by street gangs during this campaign, and two candidates have been arrested while campaigning.

And now for the latest move, China is pushing the Hong Kong Government to pass what they call the new national security law—a law that would allow them to arrest political critics and opponents. If this passes, if that happens, that is the very definition of control and de facto proof of all loss of autonomy.

By the way, China is also pushing for something very ominous. They call it patriotic education. What China is really pushing for in Hong Kong is moving from “one country, two systems” to “one country, one system”—the Chinese system.

So the bill that we will bring up here in a moment, with tremendous bipartisan support, requires five quick things that I will touch on.

First, its most important element is that it requires the Secretary of State to annually certify whether Hong Kong warrants being treated differently than China. If Hong Kong is no longer autonomous—and that is the rationale for different treatment—then, they should no longer receive that treatment.

It says that students in Hong Kong shouldn't be barred from entering the United States or getting a visa to study here, for example, because they have been the subject of a politically motivated arrest or detention.

It says that for the next 7 years, the Secretary of Commerce is going to report on whether export controls and sanction laws are being enforced by the Government of Hong Kong or whether